

New Michigan Law Requires License For IT Forensic Investigators

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A newly passed law requires private detectives and investigators to be licensed by the State of Michigan. In addition to traditional "gumshoes," the law also applies to those engaged in investigating "computer forensics" such as the consultant your organization might retain to assist you in the event of a network security breach. The "Professional Investigator Licensure Act" (2008 Public Act 146) was enacted on May 28, 2008 and took effect immediately.

The implications of the new law for an organization undertaking an IT forensic investigation are indirect, in that there are several exceptions to the licensing requirements -- employees of the organization itself, law enforcement professionals, attorneys, certified public accountants and insurance adjusters all fall within those exceptions. The licensing requirements do, however, fall squarely on those individuals acting as independent consultants to the victimized organization.

Given that the law took immediate effect, such consultants would be well served to take prompt action toward obtaining the license required by the act. The implications for operating without a license are substantial, including fines up to \$5,000.00 and imprisonment of up to 4 years.

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